

IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TEXAS  
MARSHALL DIVISION

SEAGEN INC.,

*Plaintiff,*

v.

DAIICHI SANKYO CO., LTD.,

*Defendant,*

ASTRAZENECA PHARMACEUTICALS LP, and  
ASTRAZENECA UK LTD,

*Intervenor-Defendants.*

Civil Action No. 2:20-CV-00337-JRG

**PLAINTIFF SEAGEN'S NOTICE REGARDING PATENT TRIAL AND APPEAL  
BOARD'S DENIAL OF INSTITUTION OF POST-GRANT REVIEW**

Pursuant to the Court's Standing Order Regarding Notice of Relevant Determinations from Related Proceedings, Seagen hereby notifies the Court that on July 15, 2022, the Patent Trial and Appeal Board (PTAB) granted Seagen's Request for Rehearing of the Board's April 7, 2022 institution of post-grant review of U.S. Patent No. 10,808,039 and once again denied Defendants' petition for post-grant review.<sup>1</sup> Defendants previously referred to the pendency of the post-grant review during trial (Dkt. 378, Trial Tr. Vol. V at 49:22–50:11) and in their April 25, 2022 Motion to Stay Pending Post-Grant Review (Dkt. 392). A copy of the PTAB's decision is attached hereto as Exhibit A.

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<sup>1</sup> The PTAB originally denied institution of post-grant review on June 24, 2021. Defendants subsequently filed a request for rehearing, which resulted in the Board's reconsideration and granting of institution on April 7, 2022. Seagen then filed a request for rehearing on the Board's institution decision on April 21, 2022.

Dated: July 15, 2022

By: /s/ Michael A. Jacobs

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**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that counsel of record who are deemed to have consented to electronic services are being served with a copy of this document via the Court's CM/ECF system per Local Rule CV-5(a)(3) on July 15, 2022.

/s/ Melissa R. Smith